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MEMORANDUM

TO: The Honorable Wayne Schmidt, Chair
House Commerce Committee

The Honorable Lisa Posthumus Lyons, Bill Sponsor

FROM: Felicia Wasson, Associate State Director, Government Affairs 

DATE: January 27, 2011

RE: HB 4158, "Shopping Reform and Modernization Act"

We appreciate the opportunity to provide comments regarding House Bill 4158, the "Shopping Reform and Modernization Act." As an association that represents the interests of nearly 1.4 million Michigan residents over the age of 50, we have a keen interest in ensuring that this bill provides key consumer protections.

Of particular concern is Section 6, Subsection (5)

19 (5) As used in this section, a price is "displayed" for a
20 consumer item if the price is stamped, affixed, or otherwise marked
21 on the consumer item or the price of the consumer item is displayed
22 by signage, in a current advertisement, by an electronic reader, or
23 by any other method that conveys the current price of the consumer
24 item to a consumer.

Questions

- If the price is displayed by signage, where does the sign have to be posted?
- If the price is displayed on a "current advertisement," how is the ad made available to the consumer? Is it displayed on the "shelf" where the item is presented to the customer? Is it displayed at the point of purchase?
- If the price is available on electronic reader, are there specifications as to where the reader must be placed or how the consumer is made aware of the reader?

All attempts should be made to ensure that the consumer is reasonably advised of item pricing. To that end, we suggest adding the following language:

Amend line 24 after the word "consumer" by adding "WHEN IN THE STORE AT THE PLACE WHERE THE ITEM IS LOCATED."

While AARP is open to a discussion about changing the law, we would disagree that the current law yields little or no benefit. We want to ensure that consumers are still protected and pricing information is disclosed. We would oppose any proposed legislation that would totally repeal the practice of item pricing.

Again, thank you for the opportunity to provide comment on this important issue. We look forward to working with you.